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SUBJECT: P3 DISCUSSES 1540 COMMITTEE FEBRUARY 5

REF: A. STATE 8246

[1](#)B. USUN 93
[1](#)C. USUN 1186 (07)

SENSITIVE BUT UNCLASSIFIED -- PLEASE HANDLE ACCORDINGLY

[1](#)1. (U) Summary. UK hosted a P3 discussion on continuation of the 1540 Committee on February 5 in response to REF A demarche at its EU Mission with U.S. 1540 Coordinator and French MFA reps. Both UK and France expressed their appreciation for the U.S. in taking the lead to draft essential elements, and indicated that they would strive to have final views back to Washington and/or New Yrk before February 13. The consultations underscored all three share an interest in a longer term extension, although UK and France admitted their capitals have not devoted the same level of policy formulation to the renewal preparation and had no objection to the U.S. providing the initial ideas for further delivery to Russia, China, and then the rest of the Security Council. They suggested that the building blocks should tactically precede a draft resolution which could be co-sponsored by the U.S. and Russia, and other Security Council members. See nonpaper in para 4 that was discussed. End summary.

2 (SBU) At the P3 discussions, the following objectives were emphasized:

-- The U.S. commitment to securing a resolution authorizing the continuation of the Committee established for UNSCR 1540, which is set to expire in April 2008, and that Washington had two extensive interagency discussions among nonproliferation experts to develop practical objectives.

-- Our desire to quickly gain UK and French support for including additional measures designed to increase the Committee's and Member States' ability to implement the resolution's basic requirements.

-- In obtaining these objectives, the U.S. view that we are seeking a consensus agreement within the Security Council to include measures beyond simple Committee extension - and that this would require P3 support to bring various views together. See REF B for UN challenges among Committee members.

[1](#)3. (SBU) In general terms, both UK and France agreed with more than a technical rollover. UK rep Nick Low, Head of the Nuclear Issues Section in the United Kingdom's Counter Proliferation Department, professed his view that based on previous consultations with South African nonproliferation experts (see REF C) the building blocks were achievable but he sought more information on both the voluntary fund and

proliferation financing. French reps, Thomas Guibert (Disarmament and Nonproliferation Department) and Jay Dharmadhikari (International Organizations) were in agreement with the majority of the nonpaper but also expressed interest in more information regarding proliferation financing. Neither P3 member had any strong view on who should take the lead on drafting the resolution but indicated they would confirm with their capital before February 13. Other key points stressed by UK and France included:

- a. A 5 year extension should not be an end state but leave open further work. Neither UK nor France supported language that implied the mandate for the Committee would end in 5 years - they wanted to keep all options open so States could not theoretically wait out for 5 years the Committee being a resource for furthering implementation.
- b. Action plans and matching of donors was seen as an important step. Although both UK and France supported road maps or implementation plans, they agreed that we should draft language that cites this as a useful way without making such mandatory. France also suggested language that concentrates outreach by region, e.g., with a 5 year renewal the Committee could target each of the five geographic UN regions for 6 months to create focused follow up.
- c. Voluntary fund -- France has no objection and believes the idea has merit. UK was undecided but thought details could be worked out if the concept was agreed based on the ideas in the outgoing 1540 Committee Chair's remarks.
- d. Proliferation Financing. Both UK and France thought a reference to ongoing Financial Action Task Force (FATF) work could be used based on previous involvement of the 1540 Committee with the FATF. As noted in the building block points, the specific details on ways to strengthen financial obligations were requested as an additional paper in order to see more details to share with their Treasury counterparts.
- e. Both UK and France supported a comprehensive review in 2009 as a good midpoint objective to maintain momentum with a longer mandate for the Committee. Although UK was concerned that such a review could not be accomplished without additional reporting, France opined that if countries worked on road maps and updating matrices there may not need to be another round of reporting.
- f. There were no firm views on tactics to introduce essential elements into P5, but UK and France suggested they were comfortable with the U.S. efforts to develop essential building blocks. France also reiterated its belief that if many of these elements were reflected in the draft report being prepared by the 1540 Committee on implementation since 2006, they may face less opposition from those calling for simple extension of the current mandate which would mean no new language from UNSCR 1673 that last extended the Committee for two years.

14. (U) Text of paper used for P3 discussion.

Essential building blocks in order of general priority

1A. The United States supports extension of the 1540 Committee's mandate for 5 more years.

Supporting Points:

-- A 5-year mandate would allow the 1540 Committee to make and carry out long-term plans for activities designed to promote states' implementation of resolution 1540.

-- For example, a longer horizon would enable the Committee to plan, carry out, and follow up on workshops and outreach in a more sustained and comprehensive manner. (The outreach in 2006-2007, while outstanding, exceeded many countries' staff capacity to effectively participate from capitals -- because of the short timeframe for planning these events, the

Committee was not always able to lay the appropriate groundwork to ensure that the right people attended, or two events related to UNSCR 1540 occurred in close proximity.)

-- Extending the mandate period is also important to account for the time that, from experience, we now understand is devoted to administrative and organizational matters immediately after the Committee's mandate is renewed. Both after its initial establishment and then after its first mandate renewal, the Committee spent almost half of the 2-year extension period negotiating work programs, hiring experts, reducing the effective implementation time.

-- Long-term extension provides sufficient time to focus on Committee management priorities but more importantly permits the Committee and its experts, as well as donors and recipients, the time necessary to make plans for and to execute activities to promote implementation of resolution 1540.

-- A five-year period would allow time for the Committee to consolidate its most recent awareness-raising efforts in the Middle East and Southern African States, along with previous efforts in other regions into the critical task of facilitating the delivery of technical assistance by matching states with technical assistance needs to donors that can meet them.

-- Longer extension is also beneficial because of the lead times needed for programmatic/budgetary considerations; many countries' budget cycles are a year or two ahead of the actual work year, so it would be helpful to have a longer time to plan our budgets accordingly to support 1540 activities in the out years.

1B. The resolution should mandate states to prepare action plans, where appropriate, that focus on implementation of the key provisions of the resolution within one year (but not longer than 2), and allow the Committee to facilitate the matching of partner nations (i.e., donors and recipients) with these plans to meet assistance needs.

Supporting Points:

-- This would shift the focus of the Committee and capitals from reporting and analysis to implementation efforts that are designed to build capacity.

-- "When appropriate" is language to indicate that action plans are not a requirement but a national responsibility - but without a plan to follow through on technical assistance requests, it is unlikely that partner donor nations will be willing to commit additional resources.

-- These plans would support the overall approach of expanding the Global Partnership, as one example. (UK and French nonproliferation experts are familiar with the G8 discussion on expanding Global Partnership - if needed, Washington can provide additional background)

1C. The resolution should call on the Committee to strengthen its ties to relevant regional organizations that can promote their members' implementation of resolution 1540; it should compliment the work that regional organizations have already undertaken.

Supporting Points:

-- Regional organizations are comfortable working with a UN Committee.

-- The strengthened relationship supports the limited staff capacity of the Committee and avoids duplication of effort.

1D. The resolution should take note of the work being done in the Financial Action Task Force (FATF) as an important means to limit nonproliferation by and to non- state actors.

1E. The draft should include specific financial measures and controls which states could elect to adopt to implement the resolution.

Supporting points:

-- Washington is developing separately a paper outlining these ideas.

-- Member states face challenges in determining how best to implement the financial obligations that currently exist under UNSCR 1540.

-- Language presenting specific financial measures and controls that could be used to implement UNSCR 1540 would draw on the work of the FATF in this area and resemble financial measures and controls that Member States widely use to implement resolutions related to counter-terrorism and other threats.

1F. The resolution should encourage the creation of an outside voluntary fund for Committee use in supporting implementation, e.g., tapping into cost-free experts.

Supporting Points:

-- Washington's initial thinking is that this fund would be voluntary in nature, with agreed procedures for Committee use - a separate paper is being prepared.

-- Donors outside of the Committee, particularly Norway and EU, support this as an effective way to shape long-term implementation efforts.

-- Many states see the only output of the Committee as asking for reports with no reciprocal payback - such a fund enables the Committee to play a more supportive role in implementation.

1G. The resolution should call for a comprehensive review of the status of implementation by the Security Council by the end of 2009 and seek ways to broaden stakeholder involvement in the implementation of resolution 1540 through caucus meetings with interested states both in capitals and within the United Nations.

Points To Be Used As Necessary

-- Outreach should be an important element of the Committee's mandate and should focus more on implementation of the resolution rather than on raising awareness and encouraging states to report to the Committee.

-- The Committee's outreach must be better coordinated with activities being offered bilaterally and through regional organizations.

-- The resolution should be as specific as possible in defining the role the Committee will play in facilitating technical assistance. Among other things, it should endorse the four decisions the 1540 Committee has already agreed to concerning technical assistance, as well as the remaining two decisions that the Committee has not yet endorsed.

-- The resolution could make clear that the Committee should not/not request any more reports.

End text

15. (U) Please contact U.S. 1540 Coordinator Tom Wuchte at (202) 736-4275 for any further background.

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